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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GOLDEN PHOENIX MINERALS, INC.

Case No. 3:15-CV-00521-RCJ-(WGC)

Petitioner,

vs.

PINNACLE MINERALS
CORPORATION,

Respondent.

**PINNACLE MINERALS CORPORATION'S SIGNED STATEMENT PURSUANT TO
COURT ORDER**

¹ On October 29, 2015, this Court entered an Order which approved the undersigned attorney's Petition for Permission to Practice Pro Hac Vice. The undersigned attorney has complied with LR IA 10-2.

PINNACLE MINERALS CORPORATION (“Pinnacle”), pursuant to the Court’s Order dated October 19, 2015 [D.E. 3], provides the following statement:

1. Pinnacle has yet to be formally served with any Complaint in this action.
2. Pinnacle has yet to be formally served with any summons in connection with this action.
3. No defendant has been served in this action. The only listed defendant is Pinnacle which is not a citizen of Nevada.
4. Pinnacle has not yet been served with a copy of the Petition so no removal deadlines have been triggered. Nonetheless, any deadlines would have been tolled by operation of the automatic stay ensuing from Pinnacle’s July 3, 2015 bankruptcy petition in the Bankruptcy Court for the Southern District of Florida, Case No. 15-22098-BK-AJC. *See* 11 U.S.C. § 108(c); § 362(a). This issue was proactively addressed in the Notice of Removal itself. [D.E. 1: Notice of Removal ¶6].
5. The action being removed was commenced in less than a year from the date of removal.
6. No defendants have been served. There are no defendants in this action other than the removing party, Pinnacle.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 3rd day of November, 2015, the following individuals were served the foregoing *Statement* via the Court’s CM/ECF system: Rew R. Goodenow and

Ashley Christine Nikkel, Parsons Behle & Latimer, 50 W. Liberty Street, Suite 750, Reno, Nevada
89501, at rgoodenow@parsonsbehle.com and anikkel@parsonsbehle.com.

/s/Jason H. Weber

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